

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT  
APPLICATION

Inventor(s): HANSEN et al

Appln. No.: 08 491,892

Series Code ↑ Serial No. ↑

Filed: July 14, 1995

Title: NEW CRYSTALLINE FORM OF A VITAMIN D ANALOGUE

Group Art Unit 1209

Examiner: Badio

Atty. Dkt. 218100 RY/JKM/551

M# Client Ref

(Our Deposit Account No. 03-3975)

(Our Order No. 41632 218100)

CS M#

Date: May 13, 1997

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated herinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. "Small Entity" statement(s) filed		Claims remaining after amendment		Highest number previously paid for		Present Extra		Large/Small Entity		Additional Fee		Fee Code	
<input type="checkbox"/> previously <input type="checkbox"/> herewith (No.)													
2. Total Effective Claims		7		minus 20		0		x \$22/\$11 =		+ 0		103/203	
3. Independent Claims		3		minus 3		0		x \$80/\$40 =		+ 0		102/202	
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application).....								add		+ \$280/\$130 =		104/204	
5. Original due Date: May 13, 1997				NONE									
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached				(1 mo)		\$110/\$55 =						116/216	
				(2 mos)		\$390/\$195 =		+ 0				116/216	
				(3 mos)		\$930/\$465 =						117/217	
7. Enter any previous extension fee paid since above original due date and subtract								-					
8.								Extension Fee Attached		+ 0			
9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....								+ \$110/\$55 =		+ 0		148/248	
10. If IDS attached requires Official Fee, .....								add + \$230 =		+ 0		126	
or if Rule 97(d) Petition .....								add + \$130 =		+ 0		122	
11. After-Final Request Fee per rules 129(a) and 17(r) .....								+ \$770/385 =		+ 0		148/246	
12. No. of additional inventions for examination per Rule 129(b) .....								x \$770/385 ea =		+ 0		148/249	
13. Petition fee for										+			
14.								TOTAL FEE ENCLOSED =		\$0			

15. \*If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

16. \*\*If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

17. \*\*\*If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fees only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown in the heading hereof, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Cushman Darby & Cushman  
Intellectual Property Group of  
Pillsbury Madison & Sutro LLP

By: Atty: Paul N. Kokulis

Sig:

Reg. No. 16773

1100 New York Avenue, N.W.

Ninth Floor East Tower

Washington, D.C. 20005-3918

Tel: (202) 861-3000

PNK:HDD/lap

Fax: (202) 822-0944

Tel: (202) 861-3503

NOTE: File this cover sheet in duplicate with PTO receipt (CDC-103A) and attachments



## FACSIMILE TRANSMITTAL COVER SHEET

Cushman Darby & Cushman  
Intellectual Property Group

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W.

NINTH FLOOR EAST TOWER, WASHINGTON, D.C. 20005-3918

TELEPHONE: (202) 861-3000 FAX: (202) 822-0944

website: pillsburylaw.com

or http://www.cushman.com

DATE: November 12, 1997TO: Examiner Barbara Badio - Group 1209FROM: Howard D. DoescherWRITER'S OFFICE/DIRECT DIAL NUMBER 202-861-3704FAX NUMBER: 703-308-7921MAIN NUMBER: 703-308-4595CLIENT/MATTER NUMBER: 41632/218100USER I.D. NUMBER: 13078NUMBER OF PAGES, INCLUDING COVER SHEET: 8

## SPECIAL INSTRUCTIONS:

Per your request, attached is a copy of our Amendment filed in the PTO Mail Room May 13, 1997 as indicated by the PTO receipt accompanying this document.

---

IF YOU HAVE NOT PROPERLY RECEIVED THIS FAX, PLEASE CALL (202) 861-3667. THANK YOU.

OPERATOR: \_\_\_\_\_ TIME SHEET: \_\_\_\_\_

CONFIDENTIALITY NOTICE: The documents accompanying this FACSIMILE transmission may contain confidential information which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, or the person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in this transmission is strictly PROHIBITED. If you have received this transmission in error, please immediately notify us by telephone and mail the original transmission to us. Thank you.

**RECEIPT FROM PTO FOR INDICATED ITEMS**

(Do NOT Use for New or Continuing Applications of Any Kind)  
Use 2 postcards for all New Applns. (cont/Div/CIP, too)

Appln. No: 08/491,892	Attny: PNK:HDD
First Inventor: HANSEN	Date: May 13, 1997
	Matter No: 218100
	Client No: 41632

**ENCLOSED:**

☒ Response/Amendment ☒ Cover Sheet ☐ Cited/Listed Documents

☐ Completion Request for R 53(d)/60(d)/62(d)/PCT Nat.

#  No. of Pages Abstract

#  No. of Pages Spec and Claims

#  No. of Numbered Claims Only

#  No. of Sheets of Drawings (Figs  )

☐ 1 Set Formal ☐ 1 Set Informal ☐ Cover Letter

☐ Declaration  # of pages

☐ Assignment  Cover Sheet

☐ Small Entity Declaration

☐ Extension Petition (CDC-111)

#  No. of Priority Documents

☐ IDS including PTO-1449

☐ Cited Documents ☐ Search Report

☐ Issue Fee Transmittal Form PTOL-85(b) + (c)

\$  -0- Fee (Check)

OTHER:

**Current DUE DATE:**  May 13, 1997

Submit Single Copy Only



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

HANSEN et al.

Group Art Unit: 1205

Appln. No.: 08/491,892

Examiner: Badio

Filed: July 14, 1995

FOR: NEW CRYSTALLINE FORM OF A VITAMIN D ANALOGUE

\* \* \* \* \*

May 13, 1997

AMENDMENT

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Responsive to the Office Action of February 13, 1997, kindly consider the following  
amendments and remarks.

IN THE CLAIMS:

Cancel claim 6 without prejudice.

Amend claims 1, 7 and 8 as follows:

1. (Twice Amended) Calcipotriol[,] monohydrate characterized by its storage  
stability at 40°C, its ready wettability and wet ball milling characteristics.

6. (Amended) The method of preparing calcipotriol monohydrate which comprises  
dissolving calcipotriol in organic solvent and then adding water to the resulting solution to  
precipitate the hydrate, said hydrate being characterized by its storage stability at 40°C, its  
ready wettability and wet ball milling characteristics.